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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Note verbale dated 24 January 2000 from the Permanent Mission of the Republic of Iraq to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Iraq to the United Nations Office and Other International Organizations in Geneva presents its compliments to the United Nations High Commissioner for Human Rights, Mrs. Robinson, and has the honour to transmit the attached letter from Mr. Mohammed al-Douri, Permanent Representative of the Republic of Iraq to the United Nations Office (Arabic original with French and English translations), replying to the allegations contained in the letter of 24 August 1999 from the Permanent Representative of the Kuwaiti regime, bearing the symbol E/CN.4/2000/113, 27 October 1999 *

The Mission of Iraq would appreciate it if the High Commissioner could arrange for this reply to be circulated as an official document of the Commission on Human Rights, under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world".

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* The annex is reproduced as received, in the languages of submission (English, Arabic, French)

Annex

PERMANENT MISSION OF THE
REPUBLIC OF IRAQ TO THE
UNITED NATIONS OFFICE
GENEVA

بسم الله الرحمن الرحيم

المعثلية الدائمة لجمهورية العراق
لدى مكتب الأمم المتحدة
جنيف

Ref. M8ang/2000

Text of the letter of the Permanent Representative of the Republic of Iraq to the United Nations Office to the High Commissioner on Human Rights as a reply to the letter of the Permanent Representative of the Kuwaiti regime.

Mrs. the High Commissioner,

With reference to the letter addressed to you by the Permanent Representative of the Kuwaiti régime on 24 August 1999, now under reference E/CN.4/2000/114, please allow me to bring to your attention the following clarifications in reply to the allegations contained in the above mentioned letter of the Representative of the Kuwaiti regime.

1- The Indian vessel, "Naurani" was loaded with 75 cartons of talcum powder for babies and 25 cartons of teats and infant feeding bottles of foreign origin.

2- The items mentioned were imported by an Iraqi businessman, Tahsin Mahmud Rostom (private sector), through a negotiator in the United Arab Emirates who obtained, as announced to Agence France-Presse on 19 August 1999, approval in proper form from the Sanctions Committee, established on the basis of United Nations Security Council resolution 661.

3- In accordance with Iraqi legislation, imported customs-bonded goods can be released only after tests had been made to verify that they are in accordance with standard Iraqi specifications. The

goods referred to in paragraph 1 above therefore remained in customs bond in Basrah governorate pending completion of the laboratory tests. When samples of the two items mentioned in paragraph 1 above were tested by the Medicinal and Biological Monitoring Laboratory of the Iraqi Ministry of Health, it was found that these two items were not in conformity with the standard Iraqi specifications. So, the Ministry of Health requested the importer, the businessman Tahsin Mahmud Rostom, to return the consignment to the supplier in the United Arab Emirates. Accordingly, the items referred to did not enter the Iraqi market at all.

4- On 11 August 1999, James Rubin, the official spokesman of the United States Department of State, said that Iraq had re-exported infant dried milk powder that had been imported under the oil-for-food programme. He considered that to be a violation of the embargo imposed on Iraq, and considered the national leadership of Iraq as being responsible for the suffering of the Iraqi people. The Office of the Iraq programme as well as the Sanctions Committee 661 know very well that Iraq, on the one hand, did not import baby powder, infant feeding bottles or teats under the Memorandum of Understanding "Oil for food" during any of its previous phases; on the other hand, the items that were returned to the supplier were not milk but merely goods imported by the private sector as stated in paragraph 1 above.

The exploitation of such a commercial transaction, which is a well established feature of all commercial exchanges, whether between States, companies or individuals all throughout the world, in an immoral manner for dubious and cheap political motives and publicity, in collusion with the United States Administration, constitutes a desperate attempt to cover up the crimes of genocide perpetrated against the Iraqi people. Such statements are also desperate attempts to undermine the major impact of the UNICEF report of July 1999, which highlighted the increase of infantile mortality among Iraqi children as a result of the embargo.

This campaign of misinformation calls to mind the episode of babies' incubators which was fabricated by the former ambassador of the Kuwaiti regime in Washington who employed a United States public relation company to produce a documentary film in which his daughter, Nairah, played the part of a false nurse witness,

aimed at accusing Iraq of babies homicide. This method of false information has not only deceived the public opinion but also the American congress during the end of 1990.

While condemning and deploring such fabricated declarations which are intended to attain dubious political objectives, I would be grateful to you if you could arrange to have this letter distributed as an official document of the agenda item entitled "Question of the violation of human rights all over the world", of the upcoming 56th session of the Commission on Human Rights.

Please accept, Mrs. the High Commissioner, the assurances of my highest consideration.

Mohammed Al-Douri
Ambassador
Permanent Representative

Geneva, 24 January 2000